

Remarks

Claims 102-136 are pending in this Application. In an Office Action mailed on the date of August 12, 2008, the Examiner required a restriction of claims under 35 §§ U.S.C. 121 and 372. The claims were said to be directed to the following groups of inventions:

- Group I: Claims 102-107, drawn to a fiber reinforced cement tubular body;
- Group II: Claims 133-136, drawn to an elongate tubular body;
- Group III: Claims 108-116, drawn to a lathe assembly; and
- Group IV: Claims 117-132, drawn to a method of manufacturing an elongate tubular body.

Applicants with this paper provisionally elect with traverse Group III claims, Claims 108-116 directed to a lathe assembly, for further prosecution. The remaining claims have been withdrawn for possible rejoinder at a later time. Traversal is on the grounds that at least some of the claims, including Group II and Group IV claims include the same features, such as support of the tubular body at longitudinal ends, means for rotating the tubular body about a longitudinal axis; and profile an outer surface of the tubular body.

Applicants also respectfully request entry and allowance of amended Claim 133 and new Claims 137 and 138. The amendment to Claim 133 provides features considered part of the claimed invention. New claims are introduced to further protect Applicants' invention. No new matter has been introduced with said claims.

Applicants also respectfully submit that for examination purposes the restriction requirement is not proper. Applicants respectfully point out that in accordance with MPEP 803, "If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions." The Examiner has not explicitly stated that there would be a serious burden. To this end and in view of the remarks above, Applicants respectfully submit that a restriction is not required for examination purposes.

Conclusion

Applicants respectfully submits that the Application is in condition for allowance and earnestly seeks allowance of the claims provided in the Listing of Claims beginning on page 2 of this paper.

Should the Examiner have questions, comments, or suggestions in furtherance of prosecution of this Application, please contact Applicants' representative at 214.999.4330. Applicants, through their representative, stand ready to conduct a telephone interview with the Examiner to review the Application or this Amendment if the Examiner believes that such an interview would assist in advancement of this Application.

No additional fees are believed to be due with this submission.

To the extent that fees are required with this response, the Commissioner is hereby authorized to charge payment of said fees to Deposit Account No. 07-0153 of Gardere Wynne Sewell LLP and reference Attorney Docket No. 131279-1052.

In the event that any additional time is needed for this filing, or any additional time in excess of that requested in a petition for an extension of time, please consider this a petition for an extension of time for any needed extension of time pursuant to 37 C.F.R. § 1.136 or any other section or provision of Title 37. Applicant respectfully requests that the Commissioner grant any such petition and authorize the Commissioner to charge the Deposit Account referenced above. Please credit any overpayments to this same Deposit Account.

This is intended to be a complete response to the Office Action mailed August 12, 2008. This Amendment has been submitted electronically.

Please direct all correspondence to the practitioner listed below at Customer No. 60148.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

A handwritten signature in black ink, reading "Monique A. Vander Molen". The signature is written in a cursive, flowing style.

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Dated: September 12, 2008